

Service Date: December 8, 1988

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

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IN THE MATTER Of The Application	)	
Of MDU RESOURCES GROUP, INC. For	)	UTILITY DIVISION
Amendment To Order Authorizing	)	DOCKET NO. 88.11.52
The Issuance of Securities.	)	DEFAULT ORDER NO. 5383
_____	)	

On November 22, 1988, MDU RESOURCES GROUP, INC., hereinafter referred to as Applicant, a corporation organized and existing under and by virtue of the laws of the State of Delaware, and qualified to transact business in Montana, filed with the Montana Public Service Commission its verified application, pursuant to Title 69, Chapter 3, Part 5, MCA, requesting an Amendment to Commission Default Order No. 5265, dated April 7, 1987 (Docket No. 87.3.14), which provides for authority to issue and sell up to 1,000,000 additional shares of Common Stock, par value \$5, pursuant to the Applicant's Automatic Dividend Reinvestment and Stock Purchase Plan (the "Plan"). Applicant states that, effective January 1, 1989, the Plan will be amended in certain respects and shares purchased for participants' accounts under the Plan will be purchased on the open market. Applicant further states that it is presently using original issue stock for the Plan and reserves the right to use original issue stock in the future. The application was supported by exhibits and data in accordance with the rules and regulations of the Commission governing the authorization of issuance of securities by business and territory served by it, reference is made to its annual report on file with the Commission.

At a regular open session of the Montana Public Service Commission, held at its offices on December 5, 1988, there came before the Commission for final action the matters and things in this Docket and the Commission, having fully considered the application and all the data and records pertaining thereto on file with the Commission and being fully advised in the premises, makes the following:

FINDINGS OF FACT

1. Applicant is a corporation organized and existing under and by virtue of the laws of the State of Delaware and is qualified to transact business in the State of Montana.

2. Applicant is operating as a public utility as defined in Sections 69-3-101 and 69-3-102, MCA (Section 70-103, RCM 1947), and as such is engaged in furnishing electric and gas service in Montana.

3. The Commission has jurisdiction over the subject matter of said application under Title 69, Chapter 3, Part 5, MCA.

4. The amendment to Applicant's Automatic Dividend Reinvestment and Stock Purchase Plan does not materially affect the basis upon which Default Order No. 5265, dated April 7, 1987, was issued and which authorized the issuance and sale of up to 1,000,000 additional shares of Common Stock, par value \$5, pursuant to Applicant's Plan.

5. The transactions proposed by Applicant (1) are consistent with the public interest; (2) are for a purpose or purposes permitted under the laws of the State of Montana; (3) are necessary or appropriate for and consistent with the proper performance by the Applicant of service as a public utility, and (4) will not result in

a situation in which the aggregate amount of the securities outstanding will exceed the fair value of the properties and business of the Applicant.

CONCLUSIONS OF LAW

The amendment to the Applicant's Automatic Dividend Reinvestment and Stock Purchase Plan as described herein will be for a lawful purpose and is consistent with the public interest; the same is necessary, appropriate and consistent with the proper performance of Applicant of service as a public utility; the aggregate amount of securities outstanding will not exceed the fair value of the properties and business of the Applicant.

ORDER

IT IS HEREBY ORDERED By The Commission:

1. The application of MDU Resources Group, Inc., describing the Automatic Dividend Reinvestment and Stock Purchase Plan amendment, is hereby approved.

2. Neither the amendment to Applicant's Automatic Dividend Reinvestment and Stock Purchase Plan, pursuant to the provisions of this Order, nor any other act or deed done or performed in connection therewith, shall be construed to obligate the State of Montana to pay or guarantee in any manner whatsoever any security authorized, issued, assumed or guaranteed pursuant to the plan.

3. Issuance of this Order does not constitute acceptance of the Applicant's exhibits or other material accompanying the application for any purpose other than the issuance of this Order.

DONE IN OPEN SESSION at Helena, Montana, this 28th day of November, 1988, by a 4-0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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Clyde T Jarvis

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John Brian Driscoll

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Howard L Ellis

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Danny Oberg

ATTEST:

Ann Purcell  
Acting Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.